

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13100 of John W. Paris, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4101.41 to continue to operate a parking lot in an SP-2 District at the premises 513 E Street, N. W., (Square 488, Lot 830).

HEARING DATE: November 28, 1979

DECISION DATE: December 5, 1979

FINAL DATE OF ORDER: April 7, 1980

DISPOSITION: The Board DENIED the application by a vote of 3-0 (Connie Fortune, Walter B. Lewis and William F. McIntosh to deny, Charles R. Norris not voting, not having heard the case, Leonard L. McCants abstaining).

ORDER

The applicant filed a timely Motion for Reconsideration of the Board's Order denying the application. The grounds for the Motion are that the owner of the parking lot has now complied with the previous Orders of the Board and that he will continue to comply. Upon consideration of the Motion of the Order the Board finds that the Motion fails to state specifically the respects in which the final decision is claimed to be erroneous. The Board concludes that it committed no error in deciding the application. The Board further notes that it is inappropriate for an applicant to violate an order of the Board, to remedy the violation only after the Board has denied a **re**application and, then, to seek reconsideration based on the change of condition of the lot. The applicant should have kept the lot in compliance at all times. It is therefore ORDERED that the Motion for Reconsideration is DENIED.

VOTE: 4-1 (Walter B. Lewis, Connie Fortune, Charles R. Norris and William F. McIntosh to deny, Leonard L. McCants opposed).

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 27 MAY 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."